

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
NORTHERN DIVISION

THE ESTATE OF MARY SUE WELSH,
C/O MARTIN EUGENE WELSH, P.R.

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Plaintiff,

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Case No: 1:19-cv-00988-CCB

v.

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MICHAELS STORES, INC., et al.

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Defendants.

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**MICHAELS STORES, INC'S FIRST INTERROGATORIES AND
REQUESTS FOR PRODUCTION OF DOCUMENTS TO PLAINTIFF**

Defendant, Michaels Stores, Inc. ("Defendant"), by counsel, pursuant to Rules 33 and 34 of the Federal Rules of Civil Procedure hereby propounds to the plaintiff, The Estate of Mary Sue Welsh C/O Martin Eugene Welsh, P.R. ("Plaintiff"), the following interrogatories and requests for production, sworn answers to which must be served within thirty (30) days after service:

I. DEFINITIONS

1. Plaintiff/You/Your: The terms "Plaintiff," "you," and "your", and any variants thereof, shall mean: Mary Sue Welsh, Martin Eugene Welsh, and any representatives, agents, experts, investigators, attorneys, and other persons acting (or who acted) or are purporting to act (or who purported to act) on his or her behalf.

2. Describe/Description: The terms "Describe" or "Description" shall mean: (1) when used in reference to persons or the members of a class of persons to identify each individual person or member of a class and (2) when used in reference to a document to state the following as to each document:

- (a) the nature and contents thereof;
- (b) the date thereof;
- (c) the name, address and position of the author, signer or producer thereof;

- (d) the name, address and position of the addressee if any; and
- (e) the present location thereof and the name, present address and position of the person or persons having present custody thereof.

3. Incident/Accident: The terms “Incident” or “Accident” shall mean the events which gave rise to Plaintiff’s claim as alleged in her Complaint.

4. Identify/Identification: The terms “Identify” or “Identification” shall mean:

(A) With respect to a natural person:

- (i) to state his or her name;
- (ii) Social Security number;
- (iii) to state his or her home telephone number and home address (with sufficient specificity to permit service of process thereon); and
- (iv) to state his or her business telephone number and business address) with sufficient specificity to permit service of process thereon);

(B) With respect to a corporation, partnership or other business entity:

- (i) to state the name of the corporation, partnership or other business entity;
- (ii) to state such entity’s president, general partners or other owners;
- (iii) to state the names of the agent or agents of the company or business with whom Plaintiff dealt;
- (iv) to state such entity’s business address; and
- (v) to identify such entity’s registered and/or statutory agent for service of process;

(C) With respect to a doctor, hospital, pharmacy, medical clinic, weight loss clinic, or other medical institution:

- (i) to state the full name and business address of each Healthcare Provider;
- (ii) the names and addresses of the agent or agents of the Healthcare Provider with whom Plaintiff dealt;
- (iii) the dates on which Plaintiff dealt with such Healthcare Provider; and
- (iv) state the reason for Plaintiff’s association or dealings with such Healthcare Provider;

(D) With respect to a document:

- (i) to state the form and general subject matter of the document;
- (ii) to state the identity of the author;
- (iii) to state the date of the document; and
- (iv) to state the name and address of all persons having possession custody, or control over the document; and

(E) With respect to any communication:

- (i) to state the participants in each such act or communication;
- (ii) to state any and all witnesses to such conversation along with their addresses and home and work telephone numbers;
- (iii) to describe the act or substance of such communications;
- (iv) to state whether such act or communication was recorded or otherwise described in a document and, if so, to identify all persons having possession, custody, or control over the document; and

(F) With respect to facts:

- (i) to describe in full and precise detail all of such facts; and
- (ii) to state whether or not those facts were recorded or noted in some document and, if so, to identify all persons having possession, custody, or control over the document.

5. And/Or: The terms “And” and “Or” shall be construed conjunctively and disjunctively to mean either “and” or “or”, whichever shall be the more inclusive in the context in which it is used.

6. Complaint: The term “Complaint” shall mean the Plaintiff’s Complaint and any amendments thereto.

7. Defendant: The term “Defendant” or “Michaels” shall mean Michaels Stores, Inc.

8. Documents: The term “Documents” shall mean every original (or an identical copy if the original is unavailable), and every copy which differs in any way from the original, of every writing, recording (e.g., photograph, videotape, and/or audiotape) or other tangible expression, whether handwritten, typed, drawn, sketched, printed, or recorded by any physical, mechanical, electronic, or electrical means whatsoever, and shall be construed to the fullest extent permitted under Maryland law.

9. Each/Any: The term “Each” shall include the word “Every” and “Every” shall include the word “Each.” “Any” shall include the word “All” and “All” shall include the word “Any.”

10. Healthcare Provider: The term “Healthcare Provider” shall mean any person who is, or has in the past, been licensed or certified in the health or mental care profession, including, but not limited to, physicians, doctors, surgeons, obstetricians, pediatricians, dermatologists, psychiatrists, psychologists, licensed nurse practitioners, clinical therapists, counselors,

psychotherapists, physical therapists, occupational therapists, orthopedists, nurses, chiropractors, pharmacists, and/or any other practitioner of the healing arts, or any other person holding himself or herself out to be capable of the diagnosis and/or treatment of physical, psychological emotional or mental injuries.

11. Number/Gender: The use of the singular form of any word includes the plural, and vice versa. The use of the masculine includes the feminine, and vice versa.

12. Person: The term “Person” shall mean any natural person or any business, legal, or governmental entity or association.

13. Relating to/Related to: The terms “Relating to” and “Related to” shall mean, without limitation: containing; constituting; stating; setting forth; recording; describing; reflecting; interpreting; identifying; concerning; referring to; evidencing; confirming; supporting; contradicting; controverting; or in any way pertaining to, in whole or in part, that subject to which it refers or that contention to which it refers.

14. State: The term “State” shall mean to state specifically and in detail.

15. Communications: The term “Communications,” as used herein, shall include, but shall not be limited to, written material, including but not limited to letters, correspondence, memoranda, minutes, notes, and buck slips, computer messages, recorded audio and/or video messages, and oral communications, including but not limited to meetings, conversations, conferences and telephone calls.

16. Including: The term “Including” means including without limitation.

II. INSTRUCTIONS

1. Scope. The following Interrogatories and Requests for Production call not only for the knowledge of the Plaintiff, but also for all knowledge that is available to the Plaintiff by reasonably inquiry, including inquiry of Plaintiff’s representatives, agents, employees, and, if not privileged, the Plaintiff’s attorneys.

2. Objections Generally. To the extent an objection to discovery is made, you must state the objection with particularity and must provide factual support. See *Tucker v. Ohtsu Tire & Rubber Co.*, 191 F.R.D. 495, 498 (D. Md. 2000); *Coker v. Duke & Co.*, 177 F.R.D. 682, 686 (M.D. Ala. 1998); *Jackson v. Montgomery Ward & Co.*, 173 F.R.D. 524, 528-29 (D. Nev. 1997); *G-69 v. Degnan*, 130 F.R.D. 326, 331 (D.N.J. 1990); *Chubb Integrated Sys. Ltd., v. Nat’l Bank of Washington*, 103 F.R.D. 52, 59–60 (D.D.C. 1984) (“An objection must show specifically how a [discovery request] is overly broad, burdensome or oppressive, by submitting evidence or offering evidence which reveals the nature of the burden”).

3. Privilege. If you withhold under the claim of privilege any documents covered by these requests, **you are requested to furnish a list specifying each document for which the privilege is claimed, together with the following information, where appropriate, with respect to each such document: date; author; recipient; person(s) to whom copies were furnished; basis on which the privilege is claimed; the paragraph or subparagraph of these requests to which each document responds, and sufficient description of the subject matter**

of the document (without disclosing its contents) to allow its description to the court for a ruling on the claim of privilege.

With respect to proving the applicability of the attorney-client privilege, the party asserting the privilege must “show, *as to each document*, that (1) the asserted holder of the privilege is or has sought to become a client; (2) the person to whom the communication was made (a) is a member of the bar of a court, or her subordinate and (b) in connection with the communication is acting as a lawyer; (3) the communication relates to a fact of which the attorney was informed (a) by her client (b) without the presence of strangers (c) for the purpose of securing primarily either (i) an opinion on law or (ii) legal services or (iii) assistance in some legal proceeding, and not (d) for the purpose of committing a crime or tort; and (4) the privilege has been (a) claimed and (b) not waived by the client.” Rambus, Inc. v. Infineon Techs. AG, 220 F.R.D. 264, 272 (E.D. Va. 2004) (quoting Hawkins v. Stables, 148 F.3d 379, 383 (4th Cir. 1998)).

With respect to documents withheld on the basis of attorney work-product, “[t]o establish the applicability of the work product privilege, [the party seeking to assert the privilege] must show, as to each document, that the work product in question was: (1) prepared by, or under the direction of, an attorney and, (2) was prepared in anticipation of litigation.” Id. (citing Hickman v. Taylor, 329 U.S. 495 (1947)).

Where a party does not provide a sufficient privilege log which meets the burden imposed upon that party to demonstrate the applicability of the privilege, any privilege with respect to such document or communication may be deemed waived. See id. at 273; see also Weber v. Paduano, 2003 U.S. Dist. LEXIS 858, at *34 (S.D.N.Y. Jan. 14, 2003) (citing Strougo v. BEA Assocs., 199 F.R.D. 515, 521 (S.D.N.Y. 2001)).

4. Lost/Destroyed Documents. For any documents no longer in existence or which cannot be located, identify the document, state how and when it passed out of existence or why it cannot be located, and identify each person having knowledge concerning such disposition or loss.

5. Dates/Times. Whenever you are requested to give a date, if you are unable to give the exact day, month and year, give your best estimate.

6. Duty to Supplement & Continuing Nature of Requests. As specified by Rule 4:1(e) of the Rules of the Supreme Court of Virginia, you are requested to supplement or amend your responses to these Interrogatories and Requests for Production of Documents based on any and all information obtained after the filing of such responses.

The Requests for Production of Documents are continuing in nature, and any document obtained or located subsequent to production which should have been produced had it been available or its existence known at that time is to be supplied forthwith.

7. Applicable Time Period. Unless otherwise indicated, these discovery requests refer to the time, place, and circumstances of the Incident described in the Complaint.

III. INTERROGATORIES

1. Will Plaintiff please state for Mary Sue Welsh: her full name; any alias and other names that may have been used by Mary Sue Welsh during her lifetime; her Social Security Number; her date of birth her marital status at the time of the incident; and last address. With respect to her marital status, please include whether she was or had ever been married, and whether she had any children. Specifically, (a) provide the name of her spouse and address at the time of her death; (b) provide the names and addresses of all former spouses, if any, and identify the inclusive dates of each marriage and where and how each marriage ended; and (c) if Mary Sue Welsh has any children, please provide the name of their father(s), the children's name(s), their ages and present addresses, and whether each child was dependent upon Mary Sue Welsh or is dependent on the Estate of Mary Sue Welsh for any of his or her financial support.

ANSWER:

2. State fully and in detail the facts upon which each of the allegations in Plaintiff's Complaint are based, the source of those facts, and identify each person who has knowledge of such facts and all documents relating thereto. In addition, please attach to your responses a copy of each document identified or used in answering this interrogatory.

ANSWER:

3. Describe in detail how the incident alleged occurred. Your response should include, but not be limited to, the date on which the incident occurred, the precise location where the incident occurred, the particular task or activity being performed by Mary Sue Welsh when the incident occurred, the events leading up to the incident, the events immediately following the

incident, and generally how the incident happened, including where Mary Sue Welsh was looking at the time of the incident, the speed at which she was moving, what she noticed about the condition of the floor prior to and during her traversing it, when she noticed such conditions, and the identity of each person who has knowledge of such facts and all documents relating thereto.

ANSWER:

4. Identify all persons whose acts or omissions are alleged by Plaintiff to have in any way contributed to the injuries in question with respect to Mary Sue Welsh and, with respect to each such person, set forth the details of each such act or omission. In addition, identify all persons having knowledge of each act or omission and all documents relating to each act or omission alleged. Also, please attach to your answers a copy of each document identified or used in answering this interrogatory.

ANSWER:

5. Identify all persons who have any knowledge or who may have knowledge of any relevant information, fact or circumstances relating in any way whatsoever to the allegations in Plaintiff's Complaint and/or injuries complained of, including, any and all consequences of the injuries, the nature and extent of Mary Sue Welsh's alleged injuries or condition, and any other fact or circumstance relating in any way to the alleged injuries. For each person identified, please provide a summary of the relevant information they are believed to possess and from what source such knowledge was gained, and when such knowledge was obtained.

ANSWER:

6. If Plaintiff contends that Defendant had violated or failed to follow any standard, regulation, guideline or rule promulgated by Defendant, or any standard, regulation, guideline, law, ordinance or statute, promulgated by any agency or entity, whether governmental, quasi-governmental or private, which violation caused to any extent the injuries alleged in this suit: Please state and specify the particular rule, standard, regulation, guideline, law, ordinance or statute violated; identify the entity that promulgated it; the manner in which Plaintiff claims the particular rule, standard, regulation, guideline, law, ordinance or statute was violated; specify the dates of all alleged violations; and identify all persons with knowledge of the alleged violation and each document relating thereto. In addition, please attach to your answers a copy of each document identified or used in answering this interrogatory.

ANSWER:

7. Describe in detail each injury and/or condition allegedly sustained by Mary Sue Welsh as a result of the events which are the subject of Plaintiff's Complaint. In doing so, please identify each physician or Healthcare Provider by whom Mary Sue Welsh has been treated, tested or examined, and each hospital or medical facility at which she has been treated, tested or examined in connection with such injuries and/or conditions. Also, if you claim Mary Sue Welsh had not recovered from the alleged injuries and/or conditions described above prior to her death, list all problems, complaints or symptoms she still resulted from the injuries and/or conditions, and state whether she claimed any permanent disability as a result of the injuries in question and, if so, describe the nature of such disability, the disability rating, and by whom the disability rating was made. In addition, please attach to your answers a copy of each document identified or used in answering this interrogatory or used in answering this interrogatory.

ANSWER:

8. State whether Mary Sue Welsh suffered from or had ever suffered from any physical, emotional or mental condition or any other infirmity or illness of the mind and/or body of any kind, other than the alleged injuries and/or conditions sued upon in this action, and, if so, **FOR EACH SUCH CONDITION, INFIRMITY, ILLNESS OR INJURY**, state and describe in detail the following: the nature and extent of such condition, infirmity, illness or injury; the date of injury or the date of onset of condition, infirmity, illness or injury, and the duration of such condition, infirmity, illness or injury; all past and/or present symptoms or manifestations of each condition, infirmity, illness or injury; the name and address of each treating physician or health care provider who has ever treated you for such condition, infirmity, illness or injury; the inclusive dates of such treatment; the exact nature of such treatment; and whether Mary Sue Welsh was at the time of death or ever have been disabled from any employment or activities due to each such condition, infirmity, illness or injury. Please identify each person with knowledge of the foregoing and each document relating thereto. In addition, please attach to your answers a copy of each document identified or used in answering this interrogatory.

ANSWER:

9. Please identify each and every hospital, clinic, laboratory, medical doctor (examining, prescribing, consulting or other medical doctor) or other Healthcare Provider or practitioner (including, without limitation, mental health care providers, physical therapists, chiropractors, etc.) who examined or treated Mary Sue Welsh or who was consulted by or about her at any time during the last 20 years. For each such institution or practitioner identified, please state:

- a. his, her, or the institution's area of specialties;
- b. the purpose of the examination or treatment given; and
- c. the years during which you were under his, her, or its care.

ANSWER:

10. State whether Mary Sue Welsh had received any bodily injury or been involved in any incident or mishap either prior to or subsequent to the occurrence of injuries which are the subject of this suit. If so, state the place and date of the incident or mishap, a description of what occurred, the injuries she sustained, and the names, addresses and dates of treatment for all doctors and hospitals that treated her for said injuries. Please identify each person with knowledge of the foregoing and each document relating thereto. In addition, please attach to your answers a copy of each document identified or used in answering this interrogatory.

ANSWER:

11. State each element of damage that you claim, including, but not limited to, all bills incurred by Mary Sue Welsh or on her behalf as a result of the injuries sued upon, and any claim for loss of earning capacity or loss of future wages or any other damages. Please also state the present value of the damages alleged in the Complaint. In addition, please identify each individual with knowledge of Mary Sue Welsh's claimed damages and all documents relevant thereto. Please attach to your answers a copy of each document identified or used in answering this interrogatory.

ANSWER:

12. Identify each person who will, or may be called as a witness by the Plaintiff upon the trial of this action. As to each witness who will or may be called as an expert witness by

Plaintiff, state the subject matter on which the expert is expected to testify, the substance of the facts and opinions to which the expert is expected to testify, and a summary of the grounds for each opinion, including, but not limited to, any textual material upon which the expert will rely. For each such text, please identify the name of the text, the edition, the year of publication, and the page or pages of said text upon which the expert witness will rely. Also, please identify all documents concerning or memorializing each expert's findings, conclusions, and opinions and all materials upon which the expert is expected to review and/or rely upon in forming his opinions. In addition, please attach to your answers a copy of each document identified.

ANSWER:

13. State whether Mary Sue Welsh or Martin Welsh or Patrick Welsh has ever been convicted of or pleaded guilty to any crime or offense (including traffic violations), whether as a civilian or as a member of the military services and, if so, state the date of conviction or plea, the place of conviction or plea, the nature of the crime, whether the offense was a felony or misdemeanor, and the sentence, fine or punishment, and whether any jail or prison time resulted from the offense. Please identify all persons with knowledge of the foregoing and all documents relating thereto.

ANSWER:

14. State whether Mary Sue Welsh, or anyone on her behalf, had ever filed any claims for benefits with any workmen's compensation carrier for the time period 10 years prior to the accident. If yes, identify the entity where Mary Sue Welsh had applied, when she applied, and state the results of the application. Also, please state whether she or the Estate of Mary Sue Welsh are

currently receiving, or have ever received, any such benefits, and if so, the amount received on a monthly basis, and when receipt of any such benefits began. In addition, identify all persons with knowledge of these benefits and each document relating thereto. Please attach to your answers a copy of each document identified.

ANSWER:

15. Identify each person that is a beneficiary of or has a pecuniary interest in any last will and testament of Mary Sue Welsh or in the Estate of Mary Sue Welsh. When identifying any person or persons as beneficiaries or as having a pecuniary interest in any last will and testament of Mary Sue Welsh or in the Estate of Mary Sue Welsh, please provide: (a) the person's name; (b) the person's address; (c) the person's relationship to Mary Sue Welsh; (d) the person's telephone number; and (e) the exact nature of that person's interest in the last will and testament of Mary Sue Welsh or in the Estate of Mary Sue Welsh.

ANSWER:

16. To the best of your knowledge, prior to her death, had Mary Sue Welsh given to anyone or otherwise made a statement, comment or report concerning the occurrence of facts relevant to any issues in this case or has Plaintiff taken any statement of which Plaintiff has possession, which Plaintiff has access to, or of which Plaintiff is aware, concerning any factual issue, medical issue, or matter concerning liability or damages, or that may be used by Plaintiff against Defendant as any sort of admission? If so, please: (a) identify the person giving this statement; (b) identify the individual or individuals to whom such statement was made; (c) state the date, time and place such statement was made; (d) state the nature and content of such statement; (e)

identity all individuals known to Plaintiff to have been present at the making of such statement; (f) indicate whether the statement is written or otherwise recorded; and (g) state each person who presently has a copy of the statement. If any statement is in writing, attach a copy to these answers. Please identify each person with knowledge of the foregoing and each document relating thereto.

ANSWER:

17. Describe and identify all photographs, drawings, maps, plats, models, diagrams, videotapes, films, graphical or pictorial depictions, other demonstrative or illustrative materials or other documents of any nature of which you are aware or believe to exist, or which are in your possession, custody or control, that depict the facts which form the basis of the Complaint filed herein, the location(s) of the happening of the injuries, any injuries or damages allegedly sustained by Mary Sue Welsh and/or any matters or things involved in this suit known to you or your attorney. For each such photograph, drawing, plat, videotape, film, depiction, or other document, please describe the subject matter depicted, the name and address of the person preparing the item, and the date on which it was prepared. In addition, please attach to your answers a copy of each item identified.

ANSWER:

18. If Mary Sue Welsh or any other person on her behalf has received any compensation or benefits (including, but not limited to loans or advancements) from another person or entity for damages allegedly sustained in connection with the injuries forming the basis of the Complaint filed herein, or if Mary Sue Welsh made an application for and/or received any loan or advancement of any type subsequent to the occurrence of the injuries alleged in the

Complaint, please identify the persons or entities giving and receiving the payment, the amount of any benefits, compensation or loan received, and the name of any attorney representing Plaintiff in your effort to obtain that payment. Also, please identify each person with knowledge of the foregoing and each document relating thereto. In addition, please attach to your answers a copy of each document identified or used in answering this interrogatory.

ANSWER:

19. If Mary Sue Welsh had ever made any claim (regardless of whether suit was actually filed) for injury or illness of any kind against any person, firm or corporation, including any insurance company, or if she had ever been a party to any other litigation, please state the following: (a) the nature of the injury, disease or case; (b) the date of the injury or onset of the disease or filing of the claim or case; (c) the name and address of the office or individual against or with whom the claim or case was made or filed; (d) Mary Sue Welsh's employer at the time of injury or disease or filing of the claim or case; (e) any identifying number regarding such claim or case; (f) the status of each such claim or case; and (g) the amount received, if any. In addition, identify all persons with knowledge of the foregoing and each document relating thereto. In addition, please attach to your answers a copy of each document identified or used in answering this interrogatory.

ANSWER:

20. Identify every employer for Mary Sue Welsh prior to her death and for each such employer state the dates she was employed, the locations at which she was employed, the job duties she performed and the reasons she quit or as terminated by her employer. For any service

in the Armed Forces of the United States or any other state or nation, please state in addition to the information requested above: the inclusive dates of each period of service; the branch of service; her serial number; and type of discharge. If Mary Sue Welsh had ever been rejected from service in the Armed Forces of the U.S., please state the date, branch and reason(s) for such rejection. Also, please identify each person with knowledge of the foregoing and each document relating thereto and please attach to your answers a copy of each document identified or used in answering this interrogatory.

ANSWER:

21. Please state whether Mary Sue Welsh had ever suffered from the same or a similar injury and/or condition as that alleged by Plaintiff as a result of the events which are the subject of Plaintiff's Complaint, and if so, please state when Mary Sue Welsh suffered from this prior injury and/or condition, and identify each physician and health care provider, including hospitals and medical facilities, who treated, tested, or examined her for such injury and/or condition. Also, identify all persons with knowledge of her alleged injuries and/or conditions and each document relating thereto. In addition, please attach to your answers a copy of each document identified or used in answering this interrogatory or used in answering this interrogatory.

ANSWER:

22. Did Mary Sue Welsh consume any non-prescription medication, prescription medication, drug, marijuana or alcohol during the 24-hour period prior to the incident and, if so,

identify the type and brand of such substance consumed, the quantity of each substance, any people present and the location of the consumption.

ANSWER:

23. State whether Plaintiff is aware of any complaints or notice to Defendant concerning unsafe conditions on Defendant's premises, or any other act of negligence by the Defendant alleged in your Complaint, which caused the same or similar injuries allegedly sustained by you. If so, identify the complainant(s), state the name and title of each person to whom each such complaint was made, state the date each complaint was made, and state the substance of each complaint. In addition, please attach to your answers a copy of each complaint identified. Please identify each person with knowledge of the foregoing and each document relating thereto. Please attach to your answers a copy of each document identified.

ANSWER:

24. State whether Mary Sue Welsh had visited the Michaels store located at 9801 Snowden River Parkway in Columbia, Maryland prior to February 29, 2016. If so, identify when or how often she visited the Michaels store at 9801 Snowden River Parkway in Columbia, Maryland and include when she most previously visited the Michaels store prior to February 29, 2016.

ANSWER:

IV. REQUESTS FOR PRODUCTION

1. Any and all documents identified, referenced, referred to, and/or relied upon by you in responding to any of the foregoing interrogatories or requests for admissions.

RESPONSE:

2. All written statements or recordings of statements made by Mary Sue Welsh or any other person which are related to the events which are the subject of Plaintiff's Complaint, Mary Sue Welsh's alleged injuries or condition, or any other matter or thing involved in this suit.

RESPONSE:

3. All photographs, drawings, sketches, maps, charts, graphs, video recordings, moving pictures, or other visual depictions, plats or other graphical or pictorial representations or documents of any kind relative to the location or the happening of the events which are the subject of Plaintiff's Complaint, or relative to claimed damages or any other matters or things involved in this suit.

RESPONSE:

4. All bills and/or statements for services rendered in connection with Mary Sue Welsh's medical expense or other expense or any other item that Plaintiff claims in this lawsuit as damages.

RESPONSE:

5. All reports, memoranda, letters or other written matters concerning any injury and/or conditions which you claim resulted from the events which are the subject of Plaintiff's Complaint (whether prepared by any Healthcare Provider or other person or institution providing treatment to you for such injury).

RESPONSE:

6. All reports, memoranda, letters or other written matter concerning any injury and/or conditions from which Mary Sue Welsh suffered prior or subsequent to the events which are the subject of Plaintiff's Complaint (whether prepared by any medical doctor or other person or institution providing treatment to you for such injury).

RESPONSE:

7. All reports, memoranda, letters or other written matter concerning any accidents or mishaps by Mary Sue Welsh, which occurred prior or subsequent to the events which are the subject of Plaintiff's Complaint.

RESPONSE:

8. All reports, memoranda, letters or other written matter concerning any medical treatment of any type of Mary Sue Welsh which occurred prior or subsequent to the events which are the subject of Plaintiff's Complaint (whether prepared by any medical doctor or other person or institution providing treatment to you for such injury).

RESPONSE:

9. All reports, memoranda, letters or other written matter concerning any felonies and/or misdemeanors for which Mary Sue Welsh was accused, charged, or convicted.

RESPONSE:

10. Any and all written reports or summaries prepared following the events which are the subject of Plaintiff's Complaint prepared by Plaintiff or someone acting at his or her direction.

RESPONSE:

11. Any and all transcripts of investigations, disciplinary proceedings, or other hearings concerning Mary Sue Welsh.

RESPONSE:

12. Copies of Mary Sue Welsh's federal and state income tax returns, *including all supporting documentation and attachments*, for five (5) years preceding the events which are the subject of Plaintiff's Complaint, as well as all returns subsequent to the events which are the subject of Plaintiff's Complaint.

RESPONSE:

13. Any documents of any description which Plaintiff reserves the right to introduce or intend to introduce at any trial of this matter as evidence in your case in chief or otherwise.

RESPONSE:

14. Any and all records which Plaintiff has maintained which purport to show date(s) which Mary Sue Welsh was required to miss from work due to the injuries alleged in Plaintiff's Complaint.

RESPONSE:

15. Any and all records which Plaintiff has maintained which purport to show date(s) which Mary Sue Welsh was required to miss work due to any other injuries, illnesses or diseases, which are not the subject of Plaintiff's Complaint.

RESPONSE:

16. All written or recorded statements, memoranda, or notes of conversations between the Plaintiff and any of Defendant's employees.

RESPONSE:

17. All documents, including any journal, diary, statement or notes involving any time period associated with the events and injuries described in your Complaint.

RESPONSE:

18. All documents reflecting every test, investigation, examination, analysis and/or report of or concerning Mary Sue Welsh's alleged injuries.

RESPONSE:

19. Any notes or records of any oral report made in connection with every investigation, test, examination, and/or analysis of or concerning Mary Sue Welsh's alleged injuries.

RESPONSE:

20. The curriculum vitae of any expert witness identified by the Plaintiff in answer to interrogatories and all reports prepared by expert witnesses.

RESPONSE:

21. Any and all statistical data, whether pertaining to injuries or damages or loss of earnings in the past or in the future, which Plaintiff intends to rely upon at trial.

RESPONSE:

22. Any and all written reports, whether medical or economic or vocational, concerning Mary Sue Welsh's ability to perform her regular duties or any other duties.

RESPONSE:

23. Any and all documents in the possession of Plaintiff pertaining to the physical requirements necessary for qualification in each position or occupation in which Mary Sue Welsh has worked.

RESPONSE:

24. All items or things furnished by Plaintiff, Plaintiff's attorney or anyone acting on behalf of Plaintiff to any expert witness identified in the preceding interrogatories.

RESPONSE:

25. All items or things relied upon or consulted by persons identified as expert witnesses in the preceding interrogatories in connection with formulating his or her opinions.

RESPONSE:

26. All diaries, notes, correspondence, documents or electronically recorded materials referring to or pertaining to the injuries sustained by Mary Sue Welsh or the effect thereof on Mary Sue Welsh's life, life-style or daily living.

RESPONSE:

27. All photographs, video recordings, moving pictures and visual depictions which show, portray or depict the injuries sustained by Mary Sue Welsh or the effect thereof on Mary Sue Welsh's life, life-style or daily living.

RESPONSE:

28. All documentation, including notes, draft reports, data compiled in preparation of medical reports and/or medical opinion letter by any physician pertaining to Mary Sue Welsh.

RESPONSE:

29. Any and all documents, pathology materials, radiographic reports or other information or any sort or of any kind received pursuant to a subpoena *duces tecum* issued in this case, or any other case if Plaintiff has utilized or intends to utilize those materials in this case.

RESPONSE:

Respectfully submitted,

MICHAELS STORES, INC.

/s/ Chad R. Murchison

Chad R. Murchison (Bar No. 16293)

C. Stephen Setliff (pro hac vice)

Eli Jason S. Mackey (pro hac vice)

SETLIFF LAW, P.C.

4940 Dominion Boulevard

Glen Allen, Virginia 23060

Telephone: (804) 377-1260

Facsimile: (804) 377-1280

cmurchison@setlifflaw.com

jmackey@setlifflaw.com

ssetliff@setlifflaw.com

*Counsel for The Michaels Companies, Inc. and
Michaels Stores, Inc.*

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing was emailed, this 27th day of May 2020 to the following:

Patrick G. Cullen, Esq.
920 Providence Rd.
Suite'405
Towson, MD. 21286
410-337-8577
Attorney # 6310010018
pat.cullen@office-associates.com
Attorney for Plaintiff

Ariana K. DeJan-Lenoir, (CPF #1512150164)
Anderson Coe King, LLP
7 St. Paul Street, Ste. 1600
Baltimore, MD 21202
Ph.: (410) 752-1630 / Fax: (410) 752-0085
angotti@acklaw.com
Attorney for Defendants
Kimco Realty Corporation and
Snowden 156, LLC

/s/ Chad R. Murchison

Chad R. Murchison